

FEBRUARY 22, 2011 SPECIAL ELECTION

December 2010

Stand with Clerk Giszczak on 2/22/2011 VOTE NO RECALL

Voters face election to defend Clerk Giszczak

Background: To promote his wife's candidacy in 2008, CJ McDonald filed over 200 FOIA requests day after day, two and three times a day repeatedly disrupting residents doing township business.

He would barge into the small township hall and loudly declare his wife should be elected to office, that "we have to get rid of Giszczak ..before someone goes postal." His wife Kathleen McDonald has run for the Clerk position since 2004.

McDonald also filed frivolous complaints with the State Police, wasting valuable and scarce resources. Two undercover detec-

tives investigated his claims that Clerk Giszczak was violating his rights under the Open Meetings Act. The Prosecuting Attorney found no grounds for prosecution.

Not satisfied with the official report, Mr. McDonald filed a lawsuit naming the Township and Clerk Giszczak personally. He lost his lawsuit and the Township filed a counter lawsuit to ask the court to award reimbursement of over \$11,000 of attorney fees spent to defend the Township.

With McDonald's attorney taking the lead McDonald agreed to pay \$5,000.00 for legal fees, which the township accepted and he signed a consent judgment barring

him from future Freedom of Information Act (FOIA) requests.

Less than a year later McDonald began making verbal requests as cited in his recall petition (see page 2). These verbal requests are in violation of his court order.

Still not satisfied he filed a petition for a recall election and here we are faced with an election on February 22, 2011.

Please stand with Clerk Giszczak and vote NO RECALL. *Thank you*



Kathy Giszczak, Augusta Charter Township Clerk 2004 to present

Who is behind this recall anyway?

C.J. McDonald filed the recall paperwork with the County. He had help from a small group of eleven township residents that collected signatures. Eight of those individuals had run for office and lost.

Some were behind the 2006 recall election against Kathy Giszczak and

Joann Kidder. They lost that campaign by 77%.

This recall effort wastes taxpayers money and disrupts services to our residents.

See the list of signature collectors and photos online at <http://augustapride.org>



McDonald video taping & harassing at the Clerk's home on her lunch hour. See Page 3 - McDonald Stalks Clerk.

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What will appear on the recall ballot on February 22, 2011?

CJ (Jim) McDonald 's "Statement of Reason" to recall Clerk Kathy Giszczak:

Kathy Giszczak, Augusta Township Clerk, consistently refuses to honor verbal requests to inspect the record copy of the Township Minutes as indicated by the following dates: December 21, 2009, January 5 & 26, 2010, February 1, 5, 9, 12, 16, 18, & 24, 2010—all verbal requests to view the minutes. There are no rules established and recorded by the Township Board for requesting the inspection of the Township Minutes, the only requirement according to the Attorney General's opinion 7244. Kathy Giszczak has violated MCL 15.269.

My Statement of "Justification of Conduct" not to recall:

This recall petition wastes taxpayers' money and disrupts my ability to serve residents.

Requests to 'view' originals of Township Minutes are honored by appointment through the Township approved Freedom of Information Act Request (FOIA) form. Copies are instantly available on the township website and in the township hall lobby.

In one 4-hour appointment, McDonald arrived soaked in rotten fish guts which sickened employees. In others, he stormed out in a rage, or was a no-show.

McDonald filed 200 requests during the 2008 elections and disrupted residents doing township business to promote his wife's election at the expense of township residents.

McDonald filed complaints with the State Police wasting valuable and scarce resources. The Prosecuting Attorney found no grounds for prosecution.

McDonald filed and lost a lawsuit. He paid the township \$5,000.00 for legal fees and signed a consent judgment barring him from future FOIA requests. McDonald's verbal requests cited in his recall petition were in violation of this court order.

State law requires requests be in writing, supported by Attorney General and Prosecuting Attorney's offices.

McDonald's personal stalking and harassment resulted in a Personal Protection Order issued by Washtenaw Circuit Judge Archie Brown.

The reasons for recall are not true.

**Shall Kathy Giszczak be recalled
from the office of Township Clerk?**

YES NO

What they say—What they don't tell you

Here are the first three things “they say”, see the full list of allegations & responses online.

- “Filed lawsuit against township receptionist resulting in wrongful firing”

In July 2007, the receptionist, J. Yancey, former clerk Bielec’s granddaughter, physically assaulted me resulting in a shoulder injury. I was out of work for over 8 weeks. After being released from the emergency room I filed assault and battery charges. Yancey pleaded no contest & was sentenced to one year probation, mandatory anger management

classes & community service. The Township Board voted unanimously to fire her.

- “Filed complaint against a township board member”

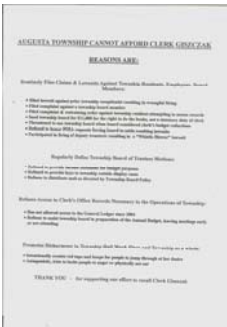
January 2010 filed complaint with State Police that former Supervisor Jackson violated the Open Meetings Act, making a decision without the township board that cost us \$407,000 in uncollected connection fees from a developer.

- “Sued township board for \$11,000 for the right to do the books, not a statutory duty of

clerk”

In 2005 I proposed to bring the accounting books back in-house to the Clerk’s office. The Clerk’s duties over the accounting functions are set by statutory authority in the Michigan Compiled Laws, specifically MCL#41.65.

The clerk shall be responsible for the detailed accounting records and prepare the journals and ledgers. Since 2007 I have saved \$50,000.00 per year by doing our books in-house myself.



See the full list online at <http://augustapride.org>, or request a copy.

Owners & Management of Augusta Woods Manufactured Housing Community Sponsor Recall Signature Drive

Before the 2008 election, Sid Moss, owner of the Augusta Woods Manufactured Community called to invite me to lunch to discuss their developments “long history” with Augusta Township. He wanted to explain why the land division appli-

cation was important. My response was that I would be happy to hear anything he had to say in an open public meeting and that I would not meet privately with them. Sid Moss abruptly hung up. I did not feel it was in the best interest of

the township’s residents that I meet privately and secretly with a land developer like other township officials have done in the past.

See the full Gazette article online at <http://augustapride.org>



Augusta Woods sign at the community entrance.

McDonald stalks Clerk Giszczak at work & at home



McDonald’s personal stalking and harassment resulted in a Personal Protection Order (PPO) issued by Washtenaw Circuit Judge Archie Brown.

Mr. McDonald’s behavior grew more and more threatening after he settled the counter lawsuit with the township and signed the consent judgment. He was arrested by the State Police for

not leaving the Township Hall when he was asked and then ordered to leave because he was in violation of the provisions of the Court Order.

Included in the “evidence” that Mr. McDonald brought to the PPO hearing was a video tape of him following Clerk Giszczak to her home. Actually evidence of his stalking, a felony in Michigan.

Stand with Clerk Giszczak on 2/22/2011 VOTE NO RECALL



IMPORTANT ELECTION DATES:

The Washtenaw County Clerk will be running this election. If you think you may be out of the area on election day please call the county for an absentee ballot at 734-222-6730.

- Jan 24, 2011 Last day to register for election
- Feb 19, 2011 Last day to apply for ballots by mail.
- Feb 22, 2011 Election Day 7am - 8 pm



Go to <http://augustapride.org>

- Accomplishments/Education/Experience
- Goals—What's next?

...requires developers to pay
for development...

Why Giszczak Decided to Run for Local Township Office in 2004

In June, 2000, I completed the Master Gardener (MG) Program focused on the Soil Science. Identifying the amount and type of fertilizer needed to grow healthy plants, save money and protect our water quality in streams and lakes really interests me.

Every year, I earn my MG recertification through my volunteer work with the Soil Testing Program.

When the HRWC (Huron River Watershed Council) held workshops on storm water management to protect our water quality, I learned how our local use of the land affects the cleanliness of our waters, and how we can prevent damaging flooding events. It is at the local township level that decisions affecting land use are made.

In 2003 I represented the Township on the Stony Creek Watershed

Steering Committee through Eastern Michigan University to study the Stony Creek Watershed. This was the first step in attaining future grants for Stony Creek.

I believe in responsible development that requires developers to pay for development, including the cost to prevent flooding.

The one elected office that seem to best fit my experience was the Clerk's office because of my accounting

background for over 25 years and my organizational skills.



November 2009 - Kathy Giszczak working with volunteers to install erosion pins in the Paint Creek sub-watershed of the Stony Creek Watershed just south of I-94 off Huron/Whittaker Road.